

**United States District Court
For The
Southern District Of Illinois**

George W. Taylor,)	
)	
Plaintiff,)	
v.)	Civil Action No. 15-847
)	
Sean De Mello,)	
)	
Defendant.)	

**Original Complaint and
Demand for Jury Trial**

1. This action arises under the Fourth Amendment to the United States Constitution and this Court has subject matter jurisdiction under 28 USC 1331.

2. The plaintiff, George W. Taylor, brings this action under 28 USC 1983 for a deprivation of his right not to be unreasonably “seized” as secured to him by the Fourth Amendment to the United States Constitution.

3. At all material times the defendant, Sean De Mello, was acting under color of state law in his individual capacity as an assistant prosecutor for the County of Williamson, Illinois.

4. The plaintiff, on June 02, 2009, was sentenced by the Circuit Court of Williamson County to a term of probation of twenty-four months.

5. The twenty-four month’s term of plaintiff’s probation was the result of a negotiated plea between these parties that was presented to the Court by the defendant and which was accepted by the Court.

6. The plaintiff successfully completed his term of probation and his term of probation expired June 2, 2011.

7. On September 2, 2011 the defendant, acting under color of state law as an assistant state's attorney for the County of Williamson Illinois, prepared, signed, and caused to be filed in the Circuit Court of Williamson County a sworn Petition to revoke plaintiff's term of probation, the contents of which he, the defendant, attested under oath as being true and accurate.

8. On May 24, 2012, the plaintiff was sentenced to seven years in the Illinois Department of Corrections pursuant to the allegations contained in the Petition to revoke as prepared and attested by the defendant.

9. By order of the Circuit Court of Williamson County entered March 18, 2015, an accurate copy of the same is attached as exhibit 1, the plaintiff was released from the Illinois Department of Corrections for the reasons stated therein.

10. At the time the Petition to Revoke plaintiff's term of probation was filed and at all times thereafter, including the date plaintiff was sentenced, the Circuit Court lacked subject matter jurisdiction to take any action regarding plaintiff's expired term of probation and the defendant was without any legal authority to file or present the Petition to revoke plaintiff's expired term of probation.

11. The Fourth Amendment to the United States Constitution protects persons against unreasonable "seizures."

12. As a proximate result of the matters set forth in this complaint, the plaintiff was unreasonably seized and incarcerated in Illinois Department of Corrections prisons for almost three years.

13. The plaintiff, while incarcerated, experienced extreme mental, emotional and, physical pain and will incur attorney's fees in prosecuting this action to vindicate his constitutionally protected right to be free from unreasonable "seizure."

Therefore, plaintiff demands a trial by jury and judgment against the defendant in the amount of \$3 million for his general damages and \$6 million in punitive damages along with attorney's fees and costs of suit.

Date: August 03, 2015

By s/G. Patrick Murphy

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